

# NEWS RELEASE

*Protecting Utah Protecting You*



UTAH ATTORNEY GENERAL  
**MARK SHURTLEFF**

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## **NO SECOND CHANCES**

### **BULLETPROOF VEST OWNERS MUST ACT NOW TO GET SETTLEMENT**

Attorney General Mark Shurtleff announced today that owners of defective bulletproof vests must act soon to take part in a \$29 million lawsuit settlement with Second Chance Body Armor. The lawsuit is separate from the legal action taken by the Attorney General's Office last year to secure the replacement of 950 vests purchased by Utah law enforcement officers.

"We want to make sure our police officers protect their legal rights and get their fair share of the settlement," says Shurtleff. "These funds are also available to those who have already had their vests replaced."

The latest settlement stems from a class action lawsuit filed this year regarding certain Second Chance vests in the District Court in Mayes County, Oklahoma. The amount of money each person receives will depend on the number of people who participate in the \$29 million settlement. The court has preliminarily approved the proposed settlement but will not consider final approval until September 23, 2005.

In order to take part in the settlement, those who purchased, possess or own a Second Chance vest made with Zylon® must register their contact information by September 9, 2005 at [www.zylonvestclassaction.com](http://www.zylonvestclassaction.com) or call 1-877-567-2754. More information regarding deadlines and the lawsuit can be found at the Utah Division of Purchasing website at [www.purchasing.utah.gov/vestsettlement.htm](http://www.purchasing.utah.gov/vestsettlement.htm).

Those who want to be excluded from the settlement must complete, sign and send the written "Request for Exclusion" form which can be found at the website. Those who want to object to the settlement must do so by the September 9, 2005 deadline.

More than 1500 Utah law enforcement officers used the vests, which were made of Zylon®, a thin, lightweight and flexible fiber that is supposed to offer full protection from bullets. However, tests determined the vests failed to stop a .44 caliber bullet from penetration and the strength of the fiber decreased under elevated temperature, humidity, sunlight or florescent light.

Last year the Attorney General's Office was able to negotiate a settlement with Second Chance because the Division of Purchasing included a breach of warranty clause in the state purchase contract. Second Chance later filed for bankruptcy. Utah is joining other states in requesting that the Chapter 11 bankruptcy be converted to a Chapter 7 bankruptcy so an independent trustee can manage and distribute the remaining assets.

"This new class action creates a new and important remedy to be considered," says Alan Bachman, the assistant attorney general representing the Division of Purchasing.

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